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10/507,927	09/17/2004	Tomomi Tateishi	1330-0141PUS1	6806

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EXAMINER	
MCCLELLAND, KIMBERLY KEIL	
ART UNIT	PAPER NUMBER
1734	

NOTIFICATION DATE	DELIVERY MODE
06/25/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/507,927	TATEISHI, TOMOMI	
	Examiner	Art Unit	
	Kimberly K. McClelland	1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 April 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-14 and 16-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-14 and 16-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 September 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 4-14, and 16-18 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,194,119 B1 to Wolk et al.

3. With respect to Claim 1, Wolk et al. discloses a method for thermal transfer for forming organic electroluminescent devices. Wolk et al. discloses heating (column 4, lines 31-37) and pressing (column 7, lines 18-22) a transfer material having an organic thin-layer (column 2, lines 38-41) formed on a temporary support (column 1, line 66-column 2, line 5) and a first laminate comprising a substrate (column 19, lines 17-22) and at least a transparent conductive layer or a rear-surface electrode (column 19, lines 42-45) formed on said substrate, which overlap each other such that a surface of said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface (See Figure 5A), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to

said receiving surface of said first laminate (column 12, lines 9-13); and bonding a second laminate (column 12, lines 45-56) comprising a substrate (copper phthalocyanine, column 23, lines 41-42) and at least a rear-surface electrode or a transparent conductive layer (aluminum cathode, column 23, lines 44-45) formed on said substrate to said organic thin-film layer transferred onto said first laminate, wherein the heating is carried out by an infrared heater (column 23, line 15-column 24, line 22, column 12, lines 9-13, column 8, lines 38-40 and column 4, lines 31-37).

4. As to Claim 2, Wolk et al. discloses transferring by heating and pressing (column 7, lines 18-22).

5. As to claim 4, Wolk et al. discloses the transfer material is formed by a wet method (coating, column 5, lines 48-50).

6. As to claim 5, Wolk et al. discloses the second laminate has an organic thin-film layer formed on the rear-surface electrode (column 23, lines 47-49).

7. As to claim 6, Wolk et al. discloses the first laminate and second laminate have a thermal expansion coefficient of 20ppm/°C or less (column 19, lines 17-29, column 15, lines 48-59, column 23, line 15-column 24, line 22).

8. As to claim 7, Wolk et al. discloses the organic thin-film layer contains at least a light-emitting, organic compound or a carrier-transporting, organic compound (column 2, lines 37-41).

9. As to claim 8, Wolk et al. discloses a hole-transporting, organic thin-film layer, a light-emitting, organic thin-film layer and an electron-transporting, organic thin-film layer are successively transferred (column 15, lines 11-16, and column 16).

10. As to claim 9, Wolk et al. discloses at least one of said first substrate and said second substrate is provided with a transparent conductive layer (column 15, lines 40-43).

11. As to claim 10, Wolk et al. discloses at least one of said temporary support and said substrate is in the form of a continuous web (column 7, lines 9-11).

12. As to claim 11, Wolk et al. discloses the substrate is made of at least one material selected from the group consisting of polyimides; polyesters; polycarbonates; polyether sulfone; metal foils such as aluminum foil, copper foil, stainless steel foil, gold foil, silver foil; plastic sheets of liquid crystal polymers; fluorine-containing polymers such as polytchloroziuoroethylene), polytetrafluoroethylene, polytetrafluoroethylene-polyethylene copolymers (column 19, lines 17-29).

13. As to claim 12, Wolk et al. discloses a device formed from claim 1 (column 15, lines 55-column 16, line 22).

14. As to claim 13, Wolk et al. discloses a method for thermal transfer for forming organic electroluminescent devices. Wolk et al. discloses heating (column 4, lines 31-37) and pressing (column 7, lines 18-22) a transfer material having an organic thin-layer (column 2, lines 38-41) formed on a temporary support (column 1, line 66-column 2, line 5) and a first laminate comprising a substrate (column 19, lines 17-22) and at least a transparent conductive layer or a rear-surface electrode (column 19, lines 42-45) formed on said substrate, which overlap each other such that a surface of said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface

(See Figure 5A), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (column 12, lines 9-13); and bonding a second laminate (column 12, lines 45-56) comprising a substrate (copper phthalocyanine, column 23, lines 41-42) and at least a rear-surface electrode or a transparent conductive layer (aluminum cathode, column 23, lines 44-45) formed on said substrate to said organic thin-film layer transferred onto said first laminate, wherein the heating is carried out by an infrared heater (column 23, line 15-column 24, line 22, column 12, lines 9-13, column 8, lines 38-40 and column 4, lines 31-37).

15. As to claim 14, Wolk et al. discloses transferring by heating and pressing (column 7, lines 18-22).

16. As to claim 16, Wolk et al. discloses the second laminate has an organic thin-film layer formed on the rear-surface electrode (column 23, lines 47-49).

17. As to claim 17, Wolk et al. discloses a method for thermal transfer for forming organic electroluminescent devices. Wolk et al. discloses heating (column 4, lines 31-37) and pressing (column 7, lines 18-22) a transfer material having an organic thin-layer (column 2, lines 38-41) formed on a temporary support (column 1, line 66-column 2, line 5) and a first laminate comprising a substrate (column 19, lines 17-22) and at least a transparent conductive layer or a rear-surface electrode (column 19, lines 42-45) formed on said substrate, which overlap each other such that a surface of said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface

(See Figure 5A), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (column 12, lines 9-13); and bonding a second laminate (column 12, lines 45-56) comprising a substrate (copper phthalocyanine, column 23, lines 41-42) and at least a rear-surface electrode or a transparent conductive layer (aluminum cathode, column 23, lines 44-45) formed on said substrate to said organic thin-film layer transferred onto said first laminate, wherein the heating is carried out by an infrared heater (column 23, line 15-column 24, line 22, column 12, lines 9-13, column 8, lines 38-40 and column 4, lines 31-37).

18. As to claim 18, Wolk e al. discloses a method for thermal transfer for forming organic electroluminescent devices. Wolk et al. discloses heating (column 4, lines 31-37) and pressing (column 7, lines 18-22) a transfer material having an organic thin-layer (column 2, lines 38-41) formed on a temporary support (column 1, line 66-column 2, line 5) and a first laminate comprising a substrate (column 19, lines 17-22) and at least a transparent conductive layer or a rear-surface electrode (column 19, lines 42-45) formed on said substrate, which overlap each other such a surface of that said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface (See Figure 5A), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (column 12, lines 9-13); and bonding a second laminate (column 12, lines 45-56) comprising a substrate (copper phthalocyanine, column 23,

lines 41-42) and at least a rear-surface electrode or a transparent conductive layer (aluminum cathode, column 23, lines 44-45) formed on said substrate to said organic thin-film layer transferred onto said first laminate, wherein the heating is carried out by an infrared heater (column 23, line 15-column 24, line 22, column 12, lines 9-13, column 8, lines 38-40 and column 4, lines 31-37).

19. Claims 1-2, 4, 7-14, and 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0127877 to Shibata et al.

20. With respect to Claim 1, Shibata et al. discloses a method for thermal transfer for forming organic electroluminescent devices. Shibata et al. discloses heating and pressing (See Paragraph 0062) a transfer material having an organic thin-layer (112) formed on a temporary support (111) and a first laminate comprising a substrate (101) and at least a transparent conductive layer or a rear-surface electrode (102) formed on said substrate, which overlap each other such that said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface (See Figure 2), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (See Paragraph 0062); and bonding a second laminate comprising a substrate and at least a rear-surface electrode or a transparent conductive layer (See paragraph 0002) formed on said substrate to said organic thin-film layer transferred

onto said first laminate (See paragraphs 0088-0089), wherein the heating is carried out by an infrared heater (See paragraph 0062).

21. As to Claim 2, Shibata et al. discloses transferring by heating and pressing (See paragraph 0062).

22. As to claim 4, Shibata et al. discloses the transfer material is formed by a wet method (See paragraph 0057).

23. As to claim 7, Shibata et al. discloses the organic thin-film layer contains at least a light-emitting, organic compound or a carrier-transporting, organic compound (See paragraph 0058).

24. As to claim 8, Shibata et al. discloses a hole-transporting, organic thin-film layer, a light-emitting, organic thin-film layer and an electron-transporting, organic thin-film layer are successively transferred (See paragraph 0044).

25. As to claim 9, Shibata et al. discloses at least one of said first substrate and said second substrate is provided with a transparent conductive layer (102).

26. As to claim 10, Shibata et al. discloses at least one of said temporary support and said substrate is in the form of a continuous web (See Figure 2).

27. As to claim 11, Shibata et al. discloses the substrate is made of at least one material selected from the group consisting of polyimides; polyesters; polycarbonates; polyether sulfone; metal foils such as aluminum foil, copper foil, stainless steel foil, gold foil, silver foil; plastic sheets of liquid crystal polymers; fluorine-containing polymers such as polytchloroziuoroethylene), polytetrafluoroethylene, polytetrafluoroethylene-polyethylene copolymers (See paragraph 0072).

28. As to claim 12, Shibata et al. discloses a device formed from claim 1 (See paragraph 0002).

29. As to claim 13, Shibata et al. discloses a method for thermal transfer for forming organic electroluminescent devices. Shibata et al. discloses heating and pressing (See paragraph 0062) a transfer material having an organic thin-layer (112) formed on a temporary support (111) and a first laminate comprising a substrate (101) and at least a transparent conductive layer or a rear-surface electrode (102) formed on said substrate, which overlap each other such that said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface (See Figure 2), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (See paragraph 0062); and bonding a second laminate comprising a substrate and at least a rear-surface electrode or a transparent conductive layer (See paragraph 0002) on said substrate to said organic thin-film layer transferred onto said first laminate (See paragraphs 0088-0089), wherein the heating is carried out by an infrared heater (See paragraph 0062).

30. As to claim 14, Shibata et al. discloses transferring by heating and pressing (See paragraph 0062).

31. As to claim 17, Shibata et al. discloses a method for thermal transfer for forming organic electroluminescent devices. Shibata et al. discloses heating and pressing (See paragraph 0062) a transfer material having an organic thin-layer (112) formed on a

temporary support (111) and a first laminate comprising a substrate (101) and at least a transparent conductive layer or a rear-surface electrode (102) formed on said substrate, which overlap each other such that said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface (See Figure 2), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (See paragraph 0062); and bonding a second laminate comprising a substrate and at least a rear-surface electrode or a transparent conductive layer (See paragraph 0002) formed on said substrate to said organic thin-film layer transferred onto said first laminate (See paragraphs 0088-0089), wherein the heating is carried out by an infrared heater (See paragraph 0062).

32. As to claim 18, Shibata e al. discloses a method for thermal transfer for forming organic electroluminescent devices. Shibata et al. discloses heating and pressing (See paragraph 0062) a transfer material having an organic thin-layer (112) formed on a temporary support (111) and a first laminate comprising a substrate (101) and at least a transparent conductive layer or a rear-surface electrode (102) formed on said substrate, which overlap each other such that said organic thin-film layer of said transfer material faces only the side of said substrate having said transparent conductive layer formed thereon being intended to form a receiving surface (See Figure 2), thereby forming a laminate structure; peeling said temporary support from said laminate structure to transfer said organic thin-film layer to said receiving surface of said first laminate (See

paragraph 0062); and bonding a second laminate comprising a substrate and at least a rear-surface electrode or a transparent conductive layer (See paragraph 0002) formed on said substrate (See paragraphs 0088-0089) to said organic thin-film layer transferred onto said first laminate, wherein the heating is carried out by an infrared heater (See paragraph 0062).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Response to Arguments

33. Applicant's arguments filed April 16th, 2007 have been fully considered but they are not persuasive.

34. As to applicant's argument that Wolk does not disclose peeling a temporary support from a laminate, applicant is directed to column 11, lines 47-55, which discloses peeling the transfer element from the transfer layer after the transfer layer has been thermally transferred to the receptor.

35. Applicant also argues Wolk does not disclose bonding another laminate to the organic thin film transferred layer. Applicant is directed to column 23, lines 41-61 which

disclose a specific embodiment wherein a OEL device is formed by bonding another laminate onto the previously transferred organic thin film layer.

36. An infrared lamp (or laser) acts as a source of radiation energy, as does an infrared heater, to provide heat to the composite. In the absence of further distinction between the disclosure of Wolk and the claimed invention of the applicant, examiner assumes the infrared lamp of Wolk acts as an infrared heater, thus meeting the limitations of the claimed invention.

37. In response to applicant's arguments that Shibata does not disclose bonding another laminate to the organic thin film transferred layer, applicant is directed to paragraphs 0088-0089 which disclose bonding a rear surface electrode onto the previously transferred thin film layer.

38. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

39. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

40. Claims 1-2, 4-14, and 16-18 remain rejected under 35 U.S.C. 102(b) and 102(e).

Conclusion

41. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly K. McClelland whose telephone number is (571) 272-2372. The examiner can normally be reached on 8:00 a.m.-5 p.m. Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip C. Tucker can be reached on (571)272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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SPE ART UNIT 1734